5.00 p.m.

STATEMENT BY MINISTER

Atrocities against Dalits in Haryana, Bihar and other parts of the Country

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): Sir, hon. Members of Rajya Sabha raised the issue regarding killing of five members of Scheduled Castes in Dulina in Jhajjar District of Haryana. I am, accordingly, making a statement on the incident.

The facts of the case, as reported by the Government of Haryana, are that on 15th October, 2002, on the Dussehra Day, five persons were coming from Farukh Nagar, District Gurgaon, and were going to Karnal. They were carrying 228 hides (34 hides of cows, 2 hides of sheep and 192 hides of buffaloes) and a dead cow in a TATA 407 vehicle. While going to Karnal from Farukh Nagar, they crossed police post Dulina and stopped between Dulina and Jhajjar. They started removing the skin of the dead cow along the road side. It was around 6.30 p.m. and the people of adjoining villages were returning home after attending Dussehera celebrations in Jhajjar town. Seeing the deceased persons skinning the cow, public thought that cow slaughter was being carried out openly. About 50-60 persons gathered there and gave severe beating to all the five deceased persons. The public took the deceased to Police Post Dulina where they reported that the deceased were carrying out cow slaughter on which the Assistant Sub-Inspector registered a case No. 469 under section 3/8 Punjab Prohibition of Cow Slaughter Act, 1955 against all the deceased persons. However, ASI after making preliminary enquiry told the public that it was not a case of cow slaughter, instead a dead cow was bought by the deceased from Farukh Nagar and was being skinned but the villagers strongly argued with the Assistant Sub-Inspector of Police and it was decided that verification be done from Farukh Nagar whether the cow was bought dead or alive. Team consisting of head Constable, driver of the vehicle Tata 407 and one person from the public was sent to Farukh Nagar. On verification, it was established that the cow was bought dead by the deceased persons. The verification party came back to Dulina at about 8.00 p.m. by which time many passers-by saw the half-skinned cow and the rumour about cow slaughter spread in Jhajjar town and nearby villages. People in thousands armed with lathi, jaily etc. gathered there and blocked

the main road. On hearing this Dy. Supdt. Of Police, Jhajjar, SHO, Jhajjar alongwith force, Naib Tehsildaar, Jhajjar and City magistrate, Jhajjar also reached the spot. However, the mob swelled further and became violent. They started pelting stones on the police personnel. Many police and civil officers received injuries. They tried to pacify them but they did not listen to the reason. The police resorted to lathi charge but that was also of no avail. The mob set on fire the TATA 407 vehicle and a hut near the Police Post. They tried to set the police post also on fire.

The mob out-numbered the police and it was already dark. The Magistrates and the police officers present on the spot decided not to resort to firing as the situation would further worsen because there was no space left between the mob and the police and they were surrounded by the mob from all sides. Suddenly a violent group of hooligans armed with iron rods and other deadly weapons reached there and pushed the police personnel and magistrates aside and broke open the door of the police post. They attacked all the five alleged cow slaughterers with iron rods, lathis, stones and brick-bats etc. and took them out on the main road. There, they beat them to death. They threw two dead bodies in the hut which was already on fire.

A case No. 470 dated 15.10.2002 u/s 148/149/302/435/332/353/452 IPC dated 15.10.2002 was registered in connection with the incident. A Special Investigation Team consisting of DSP Jhajjar, Inspector, Bahadurgarh, SI and SHO Jhajjar and ASI in charge of Police Post, Dulina was constituted to conduct the investigation. The post-mortem of the dead bodies was got done by a board of doctors and the dead bodies were handed over to the relatives of the deceased. Post-mortem of the cow was also conducted in which it was established that the cow died at least 24 hours before the incident. During the investigation, 24 accused persons have been arrested so far and section 3(2) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been added.

The Government of Haryana also ordered an enquiry by Divisional Commissioner, Rohtak into the whole incident. The Government of Haryana has announced *ex-gratia* relief of Rs.5 lakh to next of the kin of each deceased and the amount has been paid. Government has also promised job to one of the members of the family of each deceased person.

The Divisional Commissioner, Rohtak completed inquiry and submitted his report on 5th December, 2002. The Government of Haryana have examined the report and accepted the same in *toto*. The Commissioner in his report has found that the Police personnel did not take adequate steps to save the five innocent persons who were in their lawful custody. The Executive Magistrate and other administrative officers also did not perform their duty properly, as a result of which this unfortunate incident took place. Keeping in view the report of the Enquiry Officer, the State Government has decided to take action against all erring-officers and officials who were deputed for controlling the situation. They are being charge-sheeted for major penalty.

Haryana has a history of communal harmony since ages. People of all sections of society live in peace and harmony. Crime against SC/ST is taken seriously and investigated by a Gazetted officer. In fact, it appears that the incident took place because of the mistaken impression that a cow slaughter was being committed openly which aroused the passions of the people and it should not be treated as a deliberate atrocity committed on the members of the Scheduled Caste.

So far as atrocities against members of Scheduled Castes in Bihar and other parts of the country are concerned, no major incident has been reported in the recent past. In fact, there has been a perceptible decline in the IPC crimes committed against Scheduled Castes in the last 5 years. While 18,658 IPC crimes were committed in 1997, this number came down to 17,397 in 2000 which shows a decline of 6.8%. As regards incidence of crime under the Protection of Civil Rights Act, 1955, there was a decline of 78% from 3683 in 1990 to 810 in 2000. Similarly, the incidence of crime under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 showed a decline of 13.4% from 17,511 in 1995 to 15,157 in 2000.

The Ministry of Home Affairs have been issuing guidelines to the State Governments from time to time to give more focused attention to improving the administration of the criminal justice system to ensure prevention of atrocities against SCs, STs, women and other vulnerable sections of society. The guidelines issued by MHA include, *inter-alia*, the sensitisation of police personnel in the implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes/ Scheduled Tribes

(Prevention of Atrocities) Act, 1989, instructions to the police to have a more empathetic approach while dealing with the cases of atrocities against them, specifying the scope and responsibility of the police personnel investigating such offences, recruitment of sufficient number of persons belonging to SCs/ STs/minorities as police personnel, especially, at the cutting edge level, setting up of special cells to deal with such offences, programmes for creating awareness among the vulnerable sections of society and legal recourse open to them, evaluation of the working of special courts, identification of atrocity-prone areas for prevention of crime and measures to be taken for economic and social rehabilitation of the victims of atrocities.

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu) : Sir, I want to know...

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): What do you want to know? You can't stand up like this.

SHRI S. VIDUTHALAI VIRUMBI: Sir, just one minute.

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): No, no. Mr. Virumbi, you please sit down. He has just now made the statement.

SHRI S. VIDUTHALAI VIRUMBI: Sir, I am not asking about the statement. I would like to know whether it will be taken up tomorrow and whether the Biological Diversity Bill will be taken up tomorrow.

THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA): We have decided it just now. We will take up the clarifications tomorrow at 5 o'clock, I mean, at the end.

The House stands adjourned till 11 o'clock tomorrow.

The House then adjourned at eight minutes past five of the clock, till eleven of the clock on Wednesday, the 11th December, 2002.

MGIPMRND—7288RS—28.10.2003.